

Appl. No. 10/500,024
Amendment dated October 8, 2008
Reply to Office Action of May 21, 2008

AMENDMENTS TO THE DRAWINGS:

The attached sheet of drawings includes a change to Figure 4. This sheet, which includes Figure 4, replaces the original sheet including Figure 4.

Attachment: one (1) replacement sheet

REMARKS

In the May 21, 2008 Office Action, the drawings were objected to and claims 1-7 stand rejected in view of prior art. On the other hand, claims 8-10 were indicated as containing allowable subject matter. However, claims 8-10 were rejected for failing to indicate and claim particularly and distinctly the subject matter that Applicants regard as the invention. No other objections or rejections were made in the Office Action. Applicants wish to thank the Examiner for this indication of allowable subject matter and the thorough examination of this application.

Status of Claims and Amendments

In response to the May 21, 2008 Office Action, Applicants have amended claims 1, 8 and 10 as indicated above. Also, Applicants have added new claims 11-16. Thus, claims 1-16 are now pending, with claims 1, 8 and 10 being the only independent claims. Reexamination and reconsideration of the pending claims are respectfully requested in view of above amendments and the following comments.

Abstract

Applicants noticed that the original abstract did not comply with 37 CFR §1.72(b) and MPEP §608.01(b). Accordingly, Applicants are filing a new Abstract herewith that complies with 37 CFR §1.72(b) and MPEP §608.01(b).

Drawings

On page 2 of the Office Action, the drawings were objected to as failing to comply with 37 CFR §1.83(a). In response, Applicants have filed herewith one (1) replacement sheet of drawings, which includes Figure 4 with "Prior Art" added thereto as suggested in the Office Action. Applicants believe that the drawings now comply with 37 CFR §1.83(a). Accordingly, withdrawal of this objection is respectfully requested.

Claim Rejections - 35 U.S.C. §112

On page 2 of the Office Action, claims 8-10 were rejected under 35 U.S.C. §112, second paragraph, for failing to provide proper antecedent basis for "said second unit" in these claims. In response, Applicants have amended claims 8 and 10 to change "said second unit" to - -said indoor unit- -. Applicants believe that the claims now comply with 35 U.S.C. §112, second paragraph. Accordingly, withdrawal of this rejection is respectfully requested.

Rejections - 35 U.S.C. § 102

On pages 2-5 of the Office Action, claims 1-7 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,151,228 (Miyazaki et al.). In response, Applicants respectfully traverse this rejection. Claim 1 is not amended to overcome this rejection but rather is amended to make the grammar comply more closely with U.S. practice.

Independent claim 1 requires a first unit to which power is supplied from an original power source, said first unit having the predetermined noise generating source; and a second unit (4) to which said power is supplied through a branch in said first unit, with power source lines (5a, 5b) for supplying said power from said original power source to said predetermined noise generating source and inter-unit lines for supplying said power from said branch to said second unit being wound around the same magnetic body. Contrary to the assertion of the Office Action, this structure is **not** disclosed or suggested by the Miyazaki et al. patent.

The Office Action indicates that the Miyazaki et al. patent includes a branch in said first unit (39) as claimed. This is not fully understood since this reference numeral (39) is not found in the Miyazaki et al. patent. In any case, the coils L1 and L2 are considered power source lines and the coil L3 is considered inter-unit lines by the Office Action. However, the coil L3 (8e, 8f) is a current detecting coil connected to the current cancelling circuit 30, which amplifies the outlet voltage of the current detecting coil L3. The lines connecting the current cancelling circuit 30 to the current detecting coil L3 do not supply said power from said branch to said second unit to which said power is supplied through a branch in said first unit. Thus, the Miyazaki et al. patent cannot disclose or suggest the unique arrangement of independent claim 1.

It is well settled under U.S. patent law that for a reference to anticipate a claim, the reference must disclose each and every element of the claim within the reference. Therefore,

Applicants respectfully submit that independent claim 1 is not anticipated by the prior art of record. Accordingly, withdrawal of this rejection of independent claim 1 is respectfully requested.

Moreover, Applicants believe that dependent claims 2-7 are also allowable over the prior art of record in that they depend from independent claim 1, and therefore are allowable for the reasons stated above. Also, dependent claims 2-7 are further allowable because they include additional limitations, which in combination with the limitations of independent claim 1, are not disclosed or suggested in the prior art. Accordingly, withdrawal of this rejection of these dependent claims is also respectfully requested.

Rejections - 35 U.S.C. § 103

On pages 5 and 6 of the Office Action, claim 1 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,053,002 (Matsumoto et al.) in view of U.S. Patent No. 6,082,122 (Madenokouji et al.). Claim 1 is not amended to overcome this rejection but rather is amended to make the grammar comply more closely with U.S. practice.

Independent claim 1 requires a first unit to which power is supplied from an original power source, said first unit having the predetermined noise generating source; and a second unit to which said power is supplied through a branch in said first unit, with power source lines for supplying said power from said original power source to said predetermined noise generating source and inter-unit lines for supplying said power from said branch to said second unit being wound around the same magnetic body. Contrary to the assertion of the Office Action, this structure is **not** disclosed or suggested by the Matsumoto et al. patent and/or the Madenokouji et al. patent, whether taken indicidually or in combination.

Specifically, as acknowledged in the Office Action the Matsumoto et al. patent merely discloses a generic noise filter, not the noise filter set forth in independent claim 1. The Office Action relies on the Madenokouji et al. patent to allegedly teach a specific noise filter 100a, and asserts that it would be obvious to utilize the noise filter 100a of the Madenokouji et al. patent in place of the generic noise filter in the Matsumoto et al. patent to allegedly result in the unique arrangement of independent claim 1. Applicants disagree. It is considered that a diverging point from ACOUT1 toward FANMOTOR in the Madenokouji et al. patent corresponds to "branch", however, a power source line from ACOUT1 toward

FANMOTOR is not wound around the filter 100A. Thus, even if a branch from ACOUT1 toward FANMOTOR corresponds to "branch" of claim 1 (a second unit to which said power is supplied through a branch in said first unit), a line from ACOUT1 toward FANMOTOR is not wound around the filter 100A, and the arrangement of claim 1 is clacking. In other words, the noise filter 100a of the Madenokouji et al. patent only has power source lines wound therearound. Thus, this noise filter 100a of the Madenokouji et al. patent is just like the conventional noise filter disclosed in Figure 4 of the instant application. In other words, the Madenokouji et al. patent does not disclose or suggest power source lines and inter-unit lines from a branch, as claimed, that are wrapped around the same magnetic body, as claimed. Thus, even if noise filter 100a of the Madenokouji et al. patent was somehow utilized in the device of the Matsumoto et al. patent as asserted in the Office Action, this hypothetical combination would not result in the unique arrangement of independent claim 1.

It is well settled in U.S. patent law that the mere fact that the prior art can be modified does *not* make the modification obvious, unless the prior art provides an *apparent reason* for the desirability of the modification. In this case, the prior art provides no reason to modify the device of Madenokouji et al. patent and/or the device of the Matsumoto et al. patent, individually or in combination, to result in power source lines and inter-unit lines wound around the same magnetic body, as claimed. Accordingly, the prior art of record lacks any apparent reason, suggestion or expectation of success for combining the patents to create the Applicants' unique arrangement of independent claim 1.

Allowable Subject Matter

On pages 6 and 7 of the Office Action, claims 8-10 were indicated as containing allowable subject matter if rewritten or amended to over come the indefiniteness rejection. Applicants wish to thank the Examiner for this indication of allowable subject matter and the thorough examination of this application. In response, Applicants have amended claims 8 and 10 to change "said second unit" to - -said indoor unit- -. Applicants believe that the claims now comply with 35 U.S.C. §112, second paragraph. Accordingly, claims 8-10 are believed to be allowable.

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Prior Art Citation

In the Office Action, additional prior art references were made of record. Applicants believe that these references do not render the claimed invention obvious.

New Claims

Applicants have added new claims 11-16 by the current Amendment. New claims 11-16 are dependent claims.

New dependent claims 11-16 correspond to original claims 2-7, but depend from allowable claim 8 instead of claim 1. Thus, new dependent claims 11-16 are also believed to be allowable.

* * *

In view of the foregoing amendment and comments, Applicants respectfully assert that claims 1-16 are now in condition for allowance. Reexamination and reconsideration of the pending claims are respectfully requested. If there are any questions regarding this Amendment, please feel free to contact the undersigned.

Respectfully submitted,

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